U. S. Department of Homeland Security
FEMA Region III
615 Chestnut Street
Philadelphia, PA 19106

FEMA

**FINDING OF NO SIGNIFICANT IMPACT**

**HERBERT HOOVER HIGH SCHOOL**

**KANAWHA COUNTY, WEST VIRGINIA**

**FEMA-4273-DR-WV**

## BACKGROUND

The West Virginia School Building Authority (SBA) with the Kanawha County Board of Education (KCBOE) as a client, has applied to the Federal Emergency Management Agency (FEMA) Public Assistance (PA) grant program for funding assistance, under the Presidentially Declared Disaster FEMA-4273-DR-WV, for the reconstruction of Herbert Hoover High School. In accordance with FEMA Directive 108-1 and FEMA Instruction 108-1-1, this Environmental Assessment (EA) is being prepared pursuant to Section 102 of the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (CEQ) in 40 Code of Federal Regulations (CFR) Parts 1500-1508. The purpose of the EA is to analyze the potential environmental impacts of the proposed project, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

According to the United States Geological Survey (USGS), central West Virginia experienced intense convection storms along a stationary front on June 23, 2016. The stationary movement of the storms led many areas to receive up to 10 inches of rainfall within 24 hours, producing a 1,000-year storm event. The intense rainfall resulted in widespread flash flooding crippling the state with substantial damage to residences, commercial buildings, and public infrastructure. The areas that were impacted the greatest were primarily in the Greenbrier, Elk, and Gauley River watersheds (USGS, 2016). In Kanawha County, the Elk River watershed includes the communities of Clendenin and Elkview, which were both significantly impacted by the flood event. Statewide, the flood event damaged more than two dozen schools in 10 counties, including four schools in the Elk River Valley of Kanawha County: Clendenin Elementary School, Elkview Middle School, Bridge Elementary School, and Herbert Hoover High School. Clendenin Elementary School and Herbert Hoover High School were deemed eligible for replacement and relocation assistance under the FEMA PA grant program.

FEMA proposes to fund the replacement of Herbert Hoover High School with the construction of a new school at a location outside of the Special Flood Hazard Area (SFHA). The new school is needed to provide high school education in Elkview and Clendenin, Kanawha County, by providing a permanent facility that is safe, accessible, and meets all applicable codes and standards.

In accordance with federal laws and FEMA regulations, the EA process for a proposed federal action must include an evaluation of viable alternatives and a discussion of the potential environmental impacts. This EA was prepared in accordance with NEPA, 40 CFR Parts 1500-1508, and FEMA's

implementing procedures for NEPA, including those in FEMA Instruction 108-1-1. As part of this NEPA review, the requirements of other environmental laws and executive orders were evaluated. This EA informed FEMA's decision on whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

The EA evaluated several alternatives for the replacement and relocation of Herbert Hoover High School including No Action; the Proposed Action, new development offsite; and redevelopment on-site.

Under the No Action Alternative, Herbert Hoover High School would not be redeveloped, the high school age students would continue to attend school in the portable classrooms located at Elkview Middle School, and the former high school site would be retained as open space in perpetuity. The primary impacts from the No-Action Alternative would be associated with the risks stemming from keeping the temporary classrooms in a location where ingress and egress routes could be flooded (as the temporary classrooms are within the floodplain but elevated above BFE) and potential safety impacts associated with continued occupancy of the floodplain.

Under the Proposed Action Alternative, Herbert Hoover High School would be replaced with a comparable facility at a new location. Focus was placed on finding an alternative location that would allow for new development outside of the SFHA. Selection of possible site locations was pursuant to West Virginia Department of Education (WVDE) Policy 6200. The Proposed Action would acquire 293.34 acres, to meet all the requirements under WVDE Policy 6200. The proposed site is located on Frame Road/Route 43 in Elkview and consists primarily of undeveloped, forested land with moderate topographic relief. Site development would be limited to approximately 93 acres and include school structures, parking, access roads, stormwater basins, and extracurricular and athletic facilities.

Under the Reconstruction Alternative, Herbert Hoover High School would be redeveloped on the former site, located on Elk River Road, Clendenin, West Virginia. This alternative would have long-term impacts to the safety and security of the school and children due to the location of the building and surrounding areas within the floodplain.

A public notice was posted in the local newspaper of record, the *Charleston Gazette-Mail*, and on FEMA's website at https://www.fema.gov/disaster/4273. The draft EA was made available for public comment at the Kanawha County Main Library, located at 123 Capitol St, Charleston, WV 25301; Clendenin Branch Library, located at 107 Koontz Ave, Clendenin, WV 25045; and Elk Valley Branch Library, located at 313 The Crossings Mall, Elkview, WV 25071. One substantive comment was received during the public comment period and addressed in Appendix E of the EA.

**FINDINGS**

The Proposed Action would not impact wetlands, hazardous materials, environmental justice, or historic and cultural resources and would not adversely impact threatened and endangered species. During construction, negligible to moderate, short-term impacts to soils and geology, water resources and water quality, air quality, noise, public service and utilities, traffic and circulation, and safety and security are anticipated. The project would be required to follow all applicable restrictions and regulations and implement best management practices during construction to minimize and mitigate adverse impacts to resources.

The Proposed Action would have minor, long-term impacts on floodplains, terrestrial and aquatic environment, land use, noise, and traffic and circulation. Implementation of mitigation procedures would minimize long-term effects to soils and water resources resulting in minor impacts. Because frameworks are in place to manage potential environmental impacts, no significant impacts are anticipated from the incremental impact of the Proposed Action in combination with other past, present, and reasonably foreseeable future actions near the former high school site and the site of the Elkview Middle School and proposed new school facilities.

**CONDITIONS**

The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of federal funding.

1. If deviations from the proposed scope of work result in substantial design changes, the need for additional ground disturbance, additional removal of vegetation, or any other unanticipated changes to the physical environment, prior to the start of work the applicant (SBA and KCBOE) must contact FEMA so that the revised project scope can be evaluated for compliance with NEPA and other applicable environmental laws.
2. The applicant is responsible for obtaining and complying with all required local, state and federal permits and approvals.
3. Terms and conditions set by USACE and WVDEP to minimize effects to water quality will be abided by the applicant.
4. USFWS Conditions:
   An Environmental Coordinator (EC) will be secured to conduct turbidity monitoring onsite to ensure that the proposed erosion and sedimentation structures are working correctly. If increased turbidity is observed the Environmental Coordinator will be able to immediately implement measures to avoid further impacts. The EC is a qualified West Virginia mussel surveyor and will coordinate sediment monitoring as described in the April 24, 2019, Memorandum of Understanding. This includes, but is not limited to, pre-construction turbidity monitoring of Givens Fork, inspecting erosion and sedimentation control measures during construction activities, turbidity monitoring of Givens Fork at least once every seven calendar days and after any storm event of more than 0.5 inches in a 24-hour period, ensuring that compromised erosion and sedimentation control measures are promptly repaired, and quarterly reports of turbidity monitoring and inspections submitted to the Service.

   The applicant has also developed enhanced erosion and sedimentation control measures exceeding the standard requirements of their National Pollutant Discharge Elimination System permit. As stated in correspondence dated April 9 and May 7, 2019, these measures will include:
   a. Installing erosion and sedimentation control measures prior to any tree removal;
   b. Using super silt fence in place of normal belted silt fence;
   c. Incorporating an additional diversion channel along Givens Fork that uses a multi-layered approach of silt fence, diversion channel, a subsurface pipe drain, and another row of silt fence;
   d. Having periodic stone check dams in the additional diversion channel that will drain to a temporary sediment basin prior to discharging into Givens Fork;

e. During mass fill operations, using a moving temporary sediment basin that will empty into another settling basin, to provide a double filter of suspended solids;
f. Emptying sediment traps and inlet protection devices when half the wet storage capacity has been filled;
g. Removing sediment from behind sediment fence when it becomes 0.5-foot-deep, and repairing the sediment fence to maintain a barrier;
h. Mulching all disturbed areas should grading be discontinued for more than 7 days;
i. Seeding and mulching disturbed areas within 7 days of construction completion; and
j. Establishing permanent vegetative cover for site stabilization, which is estimated to take 36 months.

5. The Compensatory Mitigation Plan for stream impacts submitted will abide in compliance with USACE and WVDEP.
6. Construction best management practices, as identified in the Erosion and Sedimentation Control Plan prepared for the Proposed Action, will be utilized and maintained throughout construction to control soil erosion and sediment, reduce spills and pollution, and provide habitat protection.
7. Erosion controls will be in place prior to any ground disturbing activity.
8. Avoided wetland and streams will be fenced during construction as no-work areas.
9. Site soils will be covered and/or wetted during construction to minimize fugitive dust.
10. Construction activities will be conducted during the daytime hours to reduce adverse noise impacts.
11. The applicant will monitor ground disturbance during the construction phase; should human skeletal remains, or historic or archaeological materials be discovered during construction, all ground-disturbing activities on the project site shall cease and the applicant shall notify the coroner's office (in the case of human remains), FEMA, and the State Historic Preservation Office.
12. Any hazardous materials discovered, generated, or used during construction would be disposed of and handled in accordance with applicable local, state, and federal regulations, with WVDEP being the lead agency regarding compliance. During all activities, appropriate measures to remove, prevent, contain, minimize, and control spills of any potentially hazardous materials will be employed.
13. Heavy machinery and equipment to be used for the Proposed Action will meet federal clean air standards. In addition, all equipment used shall have sound control devices no less effective than those provided on the original equipment. No equipment shall have un-muffled exhaust.
14. All equipment shall comply with pertinent equipment noise standards of the U.S. Environmental Protection Agency.

**CONCLUSION**

Based on the findings of the EA, coordination with the appropriate agencies, comments from the public, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project qualifies as a major federal action that will not significantly affect the quality of the natural and human environment, nor does it have the potential for significant cumulative effects. As a result of this FONSI, an EIS will not be prepared (FEMA Instruction 108-1-1) and the proposed project as described in the attached EA may proceed.

**APPROVAL**

_____ Date _____

Stephanie Everfield
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FEMA Region 3